

10/566115

PINHEIRO, NUNES, ARNAUD & SCATAMBURLO S/C

INTELLECTUAL PROPERTY

IAP9 Rec'd PCT/PTO 24 JAN 2005

MAURÍCIO TIBAU ARNAUD (1918-1986)
EMÍLIO SCATAMBURLO (1943-1992)

Rua José Bonifácio, 93 - 7º e 8º andares
01003-901 - SÃO PAULO - SP
BRAZIL

WALDEMAR ALVARO PINHEIRO
LUIZ ANTONIO RICCO NUNES
ANTONIO MAURÍCIO PEDRAS ARNAUD
ROBERTO SANTO SCATAMBURLO
CLÁUDIO CALEFFI
PAULO SÉRGIO SCATAMBURLO
GABRIEL PEDRAS ARNAUD
MARTHA ELIZABETH DUDAS DO NASCIMENTO
APARECIDA SCATAMBURLO
ANTHONY HORTA
LUIZ ANTONIO SCATAMBURLO
JOSÉ MOITA HORTA
VERA LÚCIA REQUIA KUNTZ
MARIA CRISTINA SCATAMBURLO
EDWARD MAX WEIL
MARIANA PEREIRA DE SOUZA
CHRISTINA MARIA HORTA
ODETTE SIRERA
JOSELITO SANTOS SANTIAGO
JOSÉ CARLOS DE LIMA JÚNIOR
SIMONE GUERREIRO SCATAMBURLO
DIANA MELCHIEIER
MARIA ONICE C. VILLA MARIN
SANDRA C. AGIANI
MIRIAN DE FÁTIMA ALVARENGA
FÁBIO JOSÉ ZANETTI DE AZEREDO
GERALDO JOSÉ ROTTA
TATIANA ZERBINI

PHONE: (55) (11) 3291-2444
FAX: (55) (11) 3104-8037
(55) (11) 3106-5088

pinheironunes@pinheironunes.com.br
www.pinheironunes.com.br

OUR REF.: PT-0115/05

YOUR REF.:

January 17, 2005

BY FAX

Confirmation copy by mail

Messrs.

INTERNATIONAL BUREAU OF WIPO
International Preliminary Examination Authority
34 chemin des Colombettes
1211 Geneva 20,
SWITZERLAND
(Suiça)

Re: International Application Number: PCT/BR2004/000129
Applicant: BRASILATA S.A. EMBALAGENS METÁLICAS
Title: "Improvement in a can plastic lid"

Dear Sirs,

In response to the Written Opinion of the International Searching Authority issued on November 18, 2004, regarding the above-referenced patent application, we have the following comments for differentiating the present solution from the cited prior art. In view of these comments we suggest to include in claim 1 the definition of original claim 4 that the gripping tab (27) is incorporated only to the external edge (21b) of the sealing portion (21) and projecting through an interruption (25c) of the tamper evident portion (25), said gripping tab (27) maintaining a gap (29) with the lower skirt (25a) of said tamper evident portion (25). The inclusion of claim 4 into claim 1 makes more clear that the gripping tab (27) is not connect to the lower skirt (25a). Differing from Brasilata's solution, US4476993 gripping tab (34) is laterally and directly connected to the lower skirt (32) of the lid and incorporated to an external edge of the lid by axial bridges.

We hereby bring three copies of claim set pages 10 to 12 containing a new claim set amended accordingly. In order to facilitate the observation of the amendments, a further copy of said pages 10 to 12 is being attached where underscores indicate insertions and [bold in brackets] indicate deletions

Respectfully submitted,

Antonio M. P. Arnaud.

AMPA/vk

CLAIMS

1. An improvement in a plastic lid for a can of the type which comprises a tubular body (10) having a lower end (11) and an upper end (13) carrying a seat (16) for the hermetic seating of a lid (20) which comprises, in a single piece, a sealing portion (21), removably seated and retained in the seat (16) and which is provided with an external edge (21b) projecting radially outwardly from the seat (16); a tamper evident portion (25) comprising a lower skirt (25a), to be seated around part of the upper end (13) of the tubular body (10) and which is superiorly incorporated, through bridges (26), to the external edge (21b) of the sealing portion (21), the tamper evident portion (25) presenting an interruption (25c) extending along at least part of the height of the lower skirt (25a), the sealing portion (21) incorporating, at its external edge (21b), a gripping tab (27) projecting through said interruption (25c) of the tamper evident portion (25), said bridges (26) being broken when submitted to a certain pulling force, which separates the tamper evident portion (25) from the sealing portion (21) upon the first opening of the lid (20), characterized in that the bridges (26) are axially disposed around a circumferential extension of the upper end (13) of the tubular body (10), in order to connect an upper edge (25b) of the lower skirt (25a) with the external edge (21b) of the sealing portion (21) in points which are angularly spaced apart, said gripping tab (27) maintaining a gap (29) with the lower skirt (25a).
2. The improvement as set forth in claim 1, characterized in that the external end (21b) of the sealing portion (21) incorporates a small cylindrical lower flap (21c) surrounding a circumferential

extension of the upper end (13) of the tubular body (10) from which the bridges (26) depend.

3. The improvement as set forth in any of claims 1 or 2, in which the upper end (13) of the tubular body (10) secures, by a double seam (14), an annular wall (15) in which is defined the seat (16) for the seating of the lid (20), characterized in that the lower skirt (25a) incorporates an internal circumferential projection (25h), axially spaced from the external edge (21b) of the sealing portion (21) and which is dimensioned to be seated and axially locked under the double seam (14), around the tubular body (10).

4. The improvement as set forth in claim 1, characterized in that the gripping tab (27) is substantially leveled with the lower skirt (25a), [maintaining a gap (29) therebetween].

5. The improvement as set forth in claim 1, characterized in that the tamper evident portion (25) comprises at least one breakable lock (28) connecting the gripping tab (27) with the lower skirt (25a).

6. The improvement as set forth in claim 1, characterized in that the lower skirt (25a) incorporates the ends of a bridge (25d), circumferentially extending over the interruption (25c) of the tamper evident portion (25) and over the gripping tab (27), a first end (25e) of said ends of the bridge (25f) being incorporated to the lower skirt (25a) through connecting means (25f) which are broken when said first end (25e) is forced away from the lower skirt (25a), in order to liberate the manual access to the gripping tab (27).

7. The improvement as set forth in claim 6, characterized in that the bridge (25d) has its first end (25e) superposed to the lower skirt (25a) and incorporated thereto by two connecting means (25e)

which are circumferentially spaced apart.

8. The improvement as set forth in claim 1,
characterized in that the upper end (21b) of the
sealing portion (21) incorporates a circumferential
5 upper rib (25g), projecting over the upper end (13) of
the tubular body (10), so as to fit loosely and
telescopically in the lower end (11) of another
tubular body (10) stacked over said tubular body (10).

CLAIMS

1. An improvement in a plastic lid for a can of the type which comprises a tubular body (10) having a lower end (11) and an upper end (13) carrying a seat (16) for the hermetic seating of a lid (20) which comprises, in a single piece, a sealing portion (21), removably seated and retained in the seat (16) and which is provided with an external edge (21b) projecting radially outwardly from the seat (16); a tamper evident portion (25) comprising a lower skirt (25a), to be seated around part of the upper end (13) of the tubular body (10) and which is superiorly incorporated, through bridges (26), to the external edge (21b) of the sealing portion (21), the tamper evident portion (25) presenting an interruption (25c) extending along at least part of the height of the lower skirt (25a), the sealing portion (21) incorporating, at its external edge (21b), a gripping tab (27) projecting through said interruption (25c) of the tamper evident portion (25), said bridges (26) being broken when submitted to a certain pulling force, which separates the tamper evident portion (25) from the sealing portion (21) upon the first opening of the lid (20), characterized in that the bridges (26) are axially disposed around a circumferential extension of the upper end (13) of the tubular body (10), in order to connect an upper edge (25b) of the lower skirt (25a) with the external edge (21b) of the sealing portion (21) in points which are angularly spaced apart, said gripping tab (27) maintaining a gap (29) with the lower skirt (25a).
2. The improvement as set forth in claim 1, characterized in that the external end (21b) of the sealing portion (21) incorporates a small cylindrical lower flap (21c) surrounding a circumferential

extension of the upper end (13) of the tubular body (10) from which the bridges (26) depend.

3. The improvement as set forth in any of claims 1 or 2, in which the upper end (13) of the tubular body (10) secures, by a double seam (14), an annular wall (15) in which is defined the seat (16) for the seating of the lid (20), characterized in that the lower skirt (25a) incorporates an internal circumferential projection (25h), axially spaced from the external edge (21b) of the sealing portion (21) and which is dimensioned to be seated and axially locked under the double seam (14), around the tubular body (10).

4. The improvement as set forth in claim 1, characterized in that the gripping tab (27) is substantially leveled with the lower skirt (25a).

5. The improvement as set forth in claim 1, characterized in that the tamper evident portion (25) comprises at least one breakable lock (28) connecting the gripping tab (27) with the lower skirt (25a).

20 6. The improvement as set forth in claim 1, characterized in that the lower skirt (25a) incorporates the ends of a bridge (25d), circumferentially extending over the interruption (25c) of the tamper evident portion (25) and over the 25 gripping tab (27), a first end (25e) of said ends of the bridge (25f) being incorporated to the lower skirt (25a) through connecting means (25f) which are broken when said first end (25e) is forced away from the lower skirt (25a), in order to liberate the manual 30 access to the gripping tab (27).

7. The improvement as set forth in claim 6, characterized in that the bridge (25d) has its first end (25e) superposed to the lower skirt (25a) and incorporated thereto by two connecting means (25e) 35 which are circumferentially spaced apart.

8. The improvement as set forth in claim 1,
characterized in that the upper end (21b) of the
sealing portion (21) incorporates a circumferential
upper rib (25g), projecting over the upper end (13) of
5 the tubular body (10), so as to fit loosely and
telescopically in the lower end (11) of another
tubular body (10) stacked over said tubular body (10).